

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellant: Raymond H. Kraft Examiner: John W. Lee  
Serial No.: 10/800,420 Group Art Unit: 2624  
Filed: March 12, 2004 Docket No.: A126.253.102 / 076111-0308723  
**Due Date:** **July 20, 2011**  
Title: SYSTEM AND METHOD OF NON-LINEAR GRID FITTING AND COORDINATE SYSTEM MAPPING

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

**Mail Stop Appeal Brief – Patents**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

This communication is in response to a Notification of Non-Compliant Appeal Brief mailed on June 20, 2011, in response to an Appeal Brief filed June 6, 2011. Provided herewith is a replacement section for the "STATUS OF CLAIMS", which amends the Appeal Brief. In particular, claims 8-15 and 21-28 are identified as being cancelled and claims 1-7, 16-20 and 29-39 as pending. Moreover, it is submitted that this replacement section is consistent with the "CLAIMS APPENDIX" previously filed. As such, it is believed that a replacement "CLAIMS APPENDIX" is not necessary. In view of the foregoing, it is submitted that the Appeal Brief, as herein amended, meets the requirements of 37 CFR 41.37.

Any inquiry regarding this Response should be directed to Todd R. Fronek at Telephone No. (612) 767-2522, Facsimile No. (612) 573-2005.

Respectfully submitted,  
Raymond H. Kraft,  
By his attorneys,  
DICKE, BILLIG & CZAJA, PLLC

Date: July 20, 2011  
TRF:skh

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**Response to Notification of Non-Compliant Appeal Brief**

Appellant: Raymond H. Kraft

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**STATUS OF CLAIMS**

In a Final Office Action mailed January 4, 2011, claims 1-7, 16-20 and 29-39 were finally rejected. Claims 8-15 and 21-28 have been canceled. Claims 1-7, 16-20 and 29-39 are pending in the application. Claims 1-7, 16-20 and 29-39 are the subject of the present Appeal.

Claims 16-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-2, 4, 6, 30, 32, 34 and 36-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Michael et al., U.S. Patent No. 5,768,443 (“Michael”).

Claims 3, 16-19 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael in view of Thompson, U.S. Patent No. 5,020,123 (“Thompson”).

Claims 5 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael in view of Macy et al., U.S. Patent No. 6,538,691 (“Macy”).

Claims 7 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael in view of Leonard et al., U.S. Patent No. 7,034,272 B1 (“Leonard”).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michael in view of Thompson in view of Macy.